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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------------------------|---|----------------------------------|
| In re Application of: | : | Before the Examiner: |
| Challener et al. | : | Pyzocha, Michael J. |
| | : | |
| Serial No.: 10/016,792 | : | Group Art Unit: 2137 |
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RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief having a mailing date of September 29, 2006, with a time for response set to expire on October 29, 2006, Appellants respond as follows:

The Supervisory Patent Examiner asserts that Appellants' Appeal Brief does not include the status of all the claims filed in the application. Appellants have amended the Appeal Brief (referred to as the "Amended Appeal Brief") by including the status of all the claims filed in the application, including mentioning the cancelled claims. As a result, Appellants respectfully assert that the Amended Appeal Brief, filed separately, is in compliance and respectfully request the Supervisory Patent Examiner to withdraw the notice of non-compliance.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Appellants

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